

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO. 527 OF 2006

1. Shri Ajay Kumar Singh and Ors. ..Applicants.

v/s

The State of Maharashtra
(Ghatkopar Police Station
C.R. No.26/2006)

..Respondents.

Mr. R.V. Sipahimalani for the applicant.

Ms. Rajeshree M. Gadhvi, APP for the State.

CORAM: V.M. KANADE, J.
DATE: 20TH FEBRUARY, 2006

P.C.:

1. Heard the learned Counsel for the applicant and
the learned APP for the State.

2. The applicant is seeking an anticipatory bail in
connection with C.R. No.26 of 2006 registered against
him at Ghatkopar Police Station for the offence
punishable under sections 452, 324, 506(2) read with
section 34 of the Indian Penal Code.

3. The learned Counsel appearing on behalf of the
applicants submits that the FIR is vague and that
there was no motive on the part of the applicants to

assault the complainant. It is submitted that the injury certificate which is produced in this Court was not produced in the Sessions Court.

4. I have perused the complaint. The complaint discloses the commission of offence which is a cognizable offence. The learned APP has shown to me the injury certificate which indicates that the complainant has suffered injuries and was treated at the hospital. The learned APP submits that the applicant No.1 was removed by the complainant from his service and, therefore, he came to his house along with other applicants and assaulted the complainant.

5. In my view, this is not a fit case for grant of an anticipatory bail. The FIR discloses commission of cognizable offence. The applicants may surrender and, thereafter, apply for regular bail. It is clarified that merely because the application of the applicants for anticipatory bail is rejected that should not be construed to mean that this court has expressed any opinion on the merits of the case and if an application for bail is filed by the applicants herein, the appropriate court shall consider the same on merits.

V.M. KANADE, J.